

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**SB 238 - HB 286**

February 7, 2011

**SUMMARY OF BILL:** Establishes limitations on attorney fees in contingency fee health care liability actions by reducing the fee percentage as the recovery amount increases. Applies these limitations to recoveries obtained through settlement, arbitration or judgment. Defines "health care liability actions," which replaces the term "malpractice," and "health care provider." Adds a severability clause.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumption:

- According to the Administrative Office of the Courts, state courts are currently required under the statute to approve attorney fees in malpractice actions. Requiring the courts to apply new statutory limitations on recovery in health care liability actions will not have a significant fiscal impact on the court system.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, reading "James W. White".

James W. White, Executive Director

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